

shall be taken to the United States Court of Appeals for the Seventh Circuit.

(b) Appellate proceedings

If appeals are taken from decisions described in subsection (a) of this section involving section 1005 or 1008¹ of this title or section 9 or 15 of the Milwaukee Railroad Restructuring Act [45 U.S.C. 908 or 915], the court of appeals shall determine such appeals in a consolidated proceeding, sitting en banc.

(c) Action in United States Court of Claims

Nothing in this chapter or in the Milwaukee Railroad Restructuring Act (45 U.S.C. 901 et seq.) shall limit the right of any person to commence an action in the United States Court of Claims¹ under section 1491 of title 28 (commonly referred to as the Tucker Act).

(Pub. L. 96-254, title I, § 124, as added Pub. L. 96-448, title VII, § 701(a)(1), Oct. 14, 1980, 94 Stat. 1959; amended Pub. L. 98-620, title IV, § 402(49), Nov. 8, 1984, 98 Stat. 3361.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (c), was in the original “this title”, meaning title I (§ 101 et seq.) of Pub. L. 96-254, May 30, 1980, 94 Stat. 399, as amended, known as the Rock Island Railroad Transition and Employee Assistance Act, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 1001 of this title and Tables.

The Milwaukee Railroad Restructuring Act, referred to in subsecs. (a)(2) and (c), is Pub. L. 96-101, Nov. 4, 1979, 93 Stat. 736, as amended, which is classified principally to chapter 18 (§ 901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 901 of this title and Tables.

Section 1008 of this title, referred to in subsec. (b), was repealed by Pub. L. 97-468, title II, § 234(a), Jan. 14, 1983, 96 Stat. 2547.

The United States Court of Claims, referred to in subsec. (c), and the United States Court of Customs and Patent Appeals were merged effective Oct. 1, 1982, into a new United States Court of Appeals for the Federal Circuit by Pub. L. 97-164, Apr. 2, 1982, 96 Stat. 25, which also created a United States Claims Court [now United States Court of Federal Claims] that inherited the trial jurisdiction of the Court of Claims. See sections 48, 171 et seq., 791 et seq., and 1491 et seq. of Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1984—Subsec. (b). Pub. L. 98-620 struck out provision requiring the court to render a final decision no later than 60 days after the filing of the last such appeal.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as a note under section 1657 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section effective Oct. 14, 1980, see section 710(d) of Pub. L. 96-448, set out as an Effective Date of 1980 Amendment note under section 1170 of Title 11, Bankruptcy.

CHAPTER 20—NORTHEAST RAIL SERVICE

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¹ See References in Text note below.

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§ 1101. Congressional findings and declarations

The Congress finds and declares that—

(1) the processes set in motion by the Regional Rail Reorganization Act of 1973 [45 U.S.C. 701 et seq.] have failed to create a self-sustaining railroad system in the Northeast region of the United States and have cost United States taxpayers many billions of dollars over original estimates;

(2) current arrangements for the provision of rail freight and commuter service in the Northeast and Midwest regions of the United States are inadequate to meet the transportation needs of the public and the needs of national security;

(3) although the Federal Government has provided billions of dollars in assistance for Conrail and its employees, the Federal interest in ensuring the flow of interstate commerce through rail service in the private sector has not been achieved, and the protection of interstate commerce requires Federal intervention to preserve essential rail service in the private sector;

(4) the provisions for protection of employees of bankrupt railroads contained in the Re-